



# STATE OF WISCONSIN

# Senate Journal

## Ninety–Eighth Regular Session

1:05 P.M.

WEDNESDAY, March 12, 2008

The Senate met.

The Senate was called to order by President Risser.

### CALL OF ROLL

The roll was called and the following Senators answered to their names:

Senators Breske, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Roessler, Schultz, Sullivan, Taylor, Vinehout and Wirch – 33.

Absent – None.

Absent with leave – None.

The Senate stood for a moment of silent meditation.

The Senate remained standing and Senator Miller led the Senate in the pledge of allegiance to the flag of the United States of America.

### CHIEF CLERK'S ENTRIES

#### SENATE ENROLLED PROPOSALS

The Chief Clerk records:

**Senate Bill 142**  
**Senate Bill 289**  
**Senate Bill 294**  
**Senate Bill 324**  
**Senate Bill 325**  
**Senate Bill 326**  
**Senate Bill 327**  
**Senate Bill 328**  
**Senate Bill 369**  
**Senate Bill 370**  
**Senate Bill 378**  
**Senate Bill 487**

Report correctly enrolled on 3–12–2008.

#### BILLS PRESENTED TO THE GOVERNOR

The Chief Clerk records:

**Senate Bill 142**  
**Senate Bill 300**  
**Senate Bill 301**  
**Senate Bill 302**  
**Senate Bill 303**  
**Senate Bill 304**

**Senate Bill 305**

**Senate Bill 324**

**Senate Bill 325**

**Senate Bill 326**

**Senate Bill 327**

**Senate Bill 328**

**Senate Bill 368**

**Senate Bill 369**

**Senate Bill 370**

**Senate Bill 485**

Presented to the Governor on 3–12–2008.

### INTRODUCTION, FIRST READING, AND REFERENCE OF PROPOSALS; REFERENCE OF APPOINTMENTS

Read and referred:

#### **Senate Joint Resolution 106**

Relating to: commending the public service of John Martin Antaramian.

By Senator Wirch; cosponsored by Representatives Kreuser and Steinbrink.

To committee on **Senate Organization**.

#### **Senate Joint Resolution 107**

Relating to: commending the Wauwatosa East High School Red Raiders boys basketball team.

By Senator Sullivan; cosponsored by Representative Cullen.

To committee on **Senate Organization**.

Read first time and referred:

#### **Senate Bill 568**

Relating to: payment of the prevailing wage rate to laborers, workers, mechanics, and truck drivers employed on a publicly funded private construction project, submission of certain payroll information on a weekly basis by a contractor, subcontractor, or agent performing work on a project that is subject to the prevailing wage law to the local governmental unit, state agency, or owner or developer authorizing the work, inspection of the payroll records of contractors, subcontractors, and agents performing work on projects that are subject to the prevailing wage law, granting rule-making authority, and providing penalties.

By Senators Wirch, Hansen, Decker and Erpenbach; cosponsored by Representatives Mason, Kessler, Boyle, Soletski, Zepnick, Pocan, Berceau, Pope–Roberts, Black, Sheridan, Parisi, Turner, Jorgensen, Nelson, Hixson, Fields, Kreuser, Hintz, Garthwaite, Hilgenberg and Van Akkeren.

To committee on **Labor, Elections and Urban Affairs**.

**Senate Bill 569**

Relating to: an income and franchise tax exemption for income derived from manufacturing.

By Senator Grothman; cosponsored by Representative Strachota.

To committee on **Tax Fairness and Family Prosperity**.

**Senate Bill 570**

Relating to: the regulation and licensure of genetic counselors, creating a genetic counselors affiliated credentialing board, requiring the exercise of rule-making authority, and providing a penalty.

By Senator Darling.

To committee on **Health, Human Services, Insurance, and Job Creation**.

**Senate Bill 571**

Relating to: qualifications for prison wardens and superintendents.

By Senator Grothman; cosponsored by Representative Kestell.

To committee on **Judiciary, Corrections, and Housing**.

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**REPORT OF COMMITTEES**

The committee on **Ethics Reform and Government Operations** reports and recommends:

**Assembly Bill 212**

Relating to: designating a state tartan.

Concurrence.

Ayes, 5 – Senators Risser, Robson, Kreitlow, Ellis and Leibham.

Noes, 0 – None.

**Assembly Bill 848**

Relating to: revising various provisions of the statutes for the purpose of correcting errors and supplying omissions (Correction Bill).

Concurrence.

Ayes, 5 – Senators Risser, Robson, Kreitlow, Ellis and Leibham.

Noes, 0 – None.

**Assembly Bill 875**

Relating to: certification of major party nominees for the offices of president and vice president in 2008.

Concurrence.

Ayes, 5 – Senators Risser, Robson, Kreitlow, Ellis and Leibham.

Noes, 0 – None.

**Senate Bill 215**

Relating to: making June 19, Juneteenth Day, a legal holiday.

Passage.

Ayes, 4 – Senators Risser, Robson, Kreitlow and Ellis.

Noes, 1 – Senator Leibham.

*FRED RISSE*  
Chairperson

The committee on **Judiciary, Corrections, and Housing** reports and recommends:

**Assembly Bill 144**

Relating to: escapes by persons on probation, parole, and extended supervision and providing penalties.

Concurrence.

Ayes, 5 – Senators Taylor, Sullivan, Vinehout, Lazich and Grothman.

Noes, 0 – None.

**Senate Joint Resolution 80**

Relating to: providing property tax relief to persons who have their principal dwelling in this state (first consideration).

Adoption of Senate Substitute Amendment 1.

Ayes, 3 – Senators Taylor, Sullivan and Vinehout.

Noes, 2 – Senators Lazich and Grothman.

Adoption as amended.

Ayes, 3 – Senators Taylor, Sullivan and Vinehout.

Noes, 2 – Senators Lazich and Grothman.

*LENA TAYLOR*  
Chairperson

The committee on **Public Health, Senior Issues, Long Term Care and Privacy** reports and recommends:

**Assembly Bill 717**

Relating to: fire safety performance standards for cigarettes, making an appropriation, and providing a penalty.

Concurrence.

Ayes, 5 – Senators Carpenter, Coggs, Kreitlow, Schultz and Cowles.

Noes, 0 – None.

**Assembly Bill 771**

Relating to: use of a social security number as personal identifier in the administration of a state or local governmental program.

Concurrence.

Ayes, 5 – Senators Carpenter, Coggs, Kreitlow, Schultz and Cowles.

Noes, 0 – None.

*TIM CARPENTER*  
Chairperson

The committee on **Veterans and Military Affairs, Biotechnology and Financial Institutions** reports and recommends:

**Assembly Bill 605**

Relating to: investment of assets in the state investment fund (suggested as remedial legislation by the Investment Board).

Concurrence.

Ayes, 5 – Senators Sullivan, Coggs, Carpenter, Leibham and Kanavas.

Noes, 0 – None.

**Assembly Bill 606**

Relating to: Investment Board report dealing with investments in this state (suggested as remedial legislation by the Investment Board).

Concurrence.

Ayes, 5 – Senators Sullivan, Coggs, Carpenter, Leibham and Kanavas.

Noes, 0 – None.

**Assembly Bill 615**

Relating to: service on foreign corporations (suggested as remedial legislation by the Office of the Secretary of State).

Concurrence.

Ayes, 5 – Senators Sullivan, Coggs, Carpenter, Leibham and Kanavas.

Noes, 0 – None.

**Assembly Bill 617**

Relating to: adding the definition of fiscal year to abandoned property reporting requirements law and assessment of a service charge after June 30 regarding abandoned property (suggested as remedial legislation by the Office of the State Treasurer).

Concurrence.

Ayes, 5 – Senators Sullivan, Coggs, Carpenter, Leibham and Kanavas.

Noes, 0 – None.

**Assembly Bill 720**

Relating to: designating and marking a bridge in Waupaca County as the Waupaca County Veterans Memorial Bridge.

Concurrence.

Ayes, 5 – Senators Sullivan, Coggs, Carpenter, Leibham and Kanavas.

Noes, 0 – None.

**Assembly Bill 810**

Relating to: eligibility for veterans housing loan.

Concurrence.

Ayes, 5 – Senators Sullivan, Coggs, Carpenter, Leibham and Kanavas.

Noes, 0 – None.

**Assembly Bill 817**

Relating to: the early stage seed and angel investment tax credits, the submission of budget information by the department of commerce, and allocating funding to the technology commercialization grant and loan program.

Concurrence.

Ayes, 4 – Senators Sullivan, Coggs, Leibham and Kanavas.  
Noes, 1 – Senator Carpenter.

**Senate Resolution 28**

Relating to: divestment of State of Wisconsin Investment Board investments in certain companies with ongoing business operations in Sudan.

Adoption.

Ayes, 4 – Senators Sullivan, Coggs, Carpenter and Leibham.

Noes, 1 – Senator Kanavas.

*JIM SULLIVAN*  
Chairperson

The committee on **Senate Organization** reports:

The following bills were referred to and withdrawn from the joint committee on **Finance** and made Available for Scheduling, pursuant to Senate Rule 41 (1) (e):

**Senate Bill 500**

Relating to: creating an agricultural education and workforce development council and making an appropriation.

**Senate Bill 532**

Relating to: motor vehicle operating privileges, seizures by courts or law enforcement officers of operator's licenses, and reinstatement of canceled identification cards.

**Senate Bill 553**

Relating to: notices concerning construction near or on lakes, streams, or wetlands that are given to applicants for building permits and other construction approvals, requiring the Department of Natural Resources to furnish informational brochures about wetlands laws, requiring the Department of Natural Resources to provide evaluations and statements about whether certain land contains wetlands, and making an appropriation.

**Senate Bill 557**

Relating to: state special education aid for the salaries of certain pupil services personnel and granting rule-authority.

*RUSS DECKER*  
Chairperson

**PETITIONS AND COMMUNICATIONS**

**State of Wisconsin**  
**Office of the Governor**

March 12, 2008

To the Honorable, the Senate:

The following bill(s), originating in the Senate, have been approved, signed and deposited in the office of the Secretary of State:

<u>Bill Number</u>	<u>Act Number</u>	<u>Date Approved</u>
<b>Senate Bill 473</b>	<b>Act 64</b>	March 11, 2008
<b>Senate Bill 381</b>	<b>Act 67</b>	March 11, 2008
<b>Senate Bill 509</b>	<b>Act 68</b>	March 11, 2008
<b>Senate Bill 136</b>	<b>Act 71</b>	March 11, 2008
<b>Senate Bill 335</b>	<b>Act 72</b>	March 11, 2008
<b>Senate Bill 417</b>	<b>Act 73</b>	March 11, 2008
<b>Senate Bill 402</b>	<b>Act 74</b>	March 11, 2008
<b>Senate Bill 436</b>	<b>Act 75</b>	March 12, 2008
<b>Senate Bill 341</b>	<b>Act 78</b>	March 12, 2008
<b>Senate Bill 103</b>	<b>Act 80</b>	March 12, 2008
<b>Senate Bill 244</b>	<b>Act 84</b>	March 12, 2008

Respectfully submitted,  
*JIM DOYLE*  
Governor

Pursuant to Senate Rule 17 (5), Senator Wirsch added as a cosponsor of **Assembly Bill 297**.

Pursuant to Senate Rule 17 (5), Senator Kapanke added as a coauthor of **Senate Bill 397**.

Pursuant to Senate Rule 17 (5), Senator Carpenter added as a cosponsor of **Assembly Bill 717**.

Pursuant to Senate Rule 17 (5), Senator Sullivan added as a coauthor of **Senate Bill 544**.

Pursuant to Senate Rule 17 (5), Senator Kapanke added as a cosponsor of **Assembly Bill 169**.

**MESSAGES FROM THE ASSEMBLY**

By Patrick E. Fuller, chief clerk.

Mr. President:

I am directed to inform you that the Assembly has concurred in:

**Senate Bill 49**  
**Senate Bill 72**

Senate Bill 86  
Senate Bill 142  
Senate Bill 260  
Senate Bill 288  
Senate Bill 314  
Senate Bill 315  
Senate Bill 316  
Senate Bill 317  
Senate Bill 318  
Senate Bill 330  
Senate Bill 344  
Senate Bill 345  
Senate Bill 371  
Senate Bill 376  
Senate Bill 377  
Senate Bill 386  
Senate Bill 430  
Senate Bill 445  
Senate Bill 464  
Senate Bill 496  
Senate Bill 498  
Senate Bill 511  
Senate Bill 548

Senate Joint Resolution 11  
Senate Joint Resolution 14  
Senate Joint Resolution 15  
Senate Joint Resolution 62  
Senate Joint Resolution 63  
Senate Joint Resolution 74  
Senate Joint Resolution 77  
Senate Joint Resolution 79  
Senate Joint Resolution 85  
Senate Joint Resolution 86  
Senate Joint Resolution 91  
Senate Joint Resolution 94  
Senate Joint Resolution 100

Senate amendment 1 to Assembly Bill 760

Amended and concurred in as amended:

**Senate Bill 396** (Assembly substitute amendment 1 adopted)

Adopted and asks concurrence in:

**Assembly Joint Resolution 58**  
**Assembly Joint Resolution 114**  
**Assembly Joint Resolution 115**  
**Assembly Joint Resolution 116**  
**Assembly Joint Resolution 117**  
**Assembly Joint Resolution 119**

Passed and asks concurrence in:

**Assembly Bill 118**  
**Assembly Bill 450**  
**Assembly Bill 470**  
**Assembly Bill 482**  
**Assembly Bill 597**  
**Assembly Bill 668**  
**Assembly Bill 685**  
**Assembly Bill 709**  
**Assembly Bill 735**  
**Assembly Bill 765**  
**Assembly Bill 798**  
**Assembly Bill 803**

**Assembly Bill 807**  
**Assembly Bill 828**  
**Assembly Bill 846**  
**Assembly Bill 854**  
**Assembly Bill 862**  
**Assembly Bill 863**  
**Assembly Bill 893**  
**Assembly Bill 898**

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## MESSAGES FROM THE ASSEMBLY CONSIDERED

### **Assembly Joint Resolution 58**

Relating to: the life and military service of United States Army Sergeant First Class Jesse Bryon Albrecht.

By Representatives Rhoades and Murtha; cosponsored by Senator Harsdorf.

Read and referred to committee on **Senate Organization**.

### **Assembly Joint Resolution 114**

Relating to: commending Jolene Anderson, senior guard on the University of Wisconsin–Madison Badger women's basketball team, for her stellar athletic achievements over the last four years.

By Representatives Sherman, Hubler, Cullen, A. Ott, Gottlieb, Owens, Montgomery, Bies, Petrowski, Turner, Nerison, Sinicki, Boyle, Kerkman, Hebl, Berceau, Black and Albers; cosponsored by Senators Jauch, Lazich, Kreitlow, Lehman, Cowles, Roessler and Miller.

Read and referred to committee on **Senate Organization**.

### **Assembly Joint Resolution 115**

Relating to: commending Chancellor John P. Keating on his commitment to excellence in higher education.

By Representatives Kreuser, Kerkman, Steinbrink, Vos, Turner and Mason; cosponsored by Senators Lehman and Wirsch.

Read and referred to committee on **Senate Organization**.

### **Assembly Joint Resolution 116**

Relating to: the life and public service of Jerome F. Quinn.

By Representatives Jeskewitz, Van Roy, A. Ott, Kerkman and Kessler; cosponsored by Senators Cowles and Darling.

Read and referred to committee on **Senate Organization**.

### **Assembly Joint Resolution 117**

Relating to: commending Chancellor John D. Wiley for his outstanding service to the state of Wisconsin.

By Representatives Black, Cullen, Boyle, Jeskewitz, Hebl, Mason, Berceau and Soletski; cosponsored by Senators Risser, Olsen, Erpenbach, Harsdorf and Miller.

Read and referred to committee on **Senate Organization**.

### **Assembly Joint Resolution 119**

Relating to: recognizing May as Melanoma and Skin Cancer Detection and Prevention month.

By Representatives Wasserman, A. Ott, Berceau, Boyle, Hraychuck, Mason, Musser, Owens, Sheridan and Zepnick; cosponsored by Senators Kapanke, Darling and Cowles.

Read and referred to committee on **Senate Organization**.

### **Assembly Bill 118**

Relating to: requiring local governmental units to consider relationships with drainage districts in the preparation of comprehensive plans, requiring local governments to provide notice to drainage districts regarding proposals that affect

drainage districts, and requiring sellers of real property to disclose the location of property within drainage districts.

By Representatives Molepske, Albers, Townsend, A. Ott, Mursau and Hahn; cosponsored by Senators Lassa, S. Fitzgerald, Olsen and Schultz.

Read first time and referred to committee on **Senate Organization**.

#### **Assembly Bill 450**

Relating to: flying of the United States flag at public buildings, structures, and facilities.

By Representatives Molepske, Honadel, Sheridan, Pridemore, Berceau, Hahn, Mason, Hines, Hintz, A. Ott, Parisi, Vos, Hilgenberg, Townsend, Gronemus, Murtha, Nygren and Gunderson; cosponsored by Senators Plale, Coggs and Wirch.

Read first time and referred to committee on **Senate Organization**.

#### **Assembly Bill 470**

Relating to: the penalty for converting agricultural land.

By Representatives Seidel, Hahn, Ballweg, Bies, Davis, Gronemus, Gunderson, Hintz, Hixson, Musser, Nelson, Sheridan and Townsend; cosponsored by Senators Breske, A. Lasee, Roessler and Schultz.

Read first time and referred to committee on **Senate Organization**.

#### **Assembly Bill 482**

Relating to: prohibiting the Milwaukee Public Schools from imposing residency requirements on teachers.

By Representatives Gunderson, Vos, Pridemore, Pope-Roberts, Musser, Kestell, Albers, Bies, Mursau and Townsend; cosponsored by Senators Darling, Lazich and Schultz.

Read first time and referred to committee on **Senate Organization**.

#### **Assembly Bill 597**

Relating to: interfering with a signal transmitted by a global positioning system and providing a penalty.

By Representatives Staskunas, Ziegelbauer, Musser, Jeskewitz, Albers, Turner, Sheridan, Ballweg, A. Ott, Kleefisch, Kaufert, Hahn, Soletski, Petrowski and Zepnick; cosponsored by Senators Plale, Lehman, Cowles, Roessler, Lazich, Olsen and Taylor.

Read first time and referred to committee on **Senate Organization**.

#### **Assembly Bill 668**

Relating to: membership of the group insurance board.

By Representatives Rhoades, Hraychuck, Musser, Hahn and Murtha; cosponsored by Senators Harsdorf, Vinehout, Kapanke and Olsen.

Read first time and referred to committee on **Senate Organization**.

#### **Assembly Bill 685**

Relating to: parenting plans in actions affecting the family.

By Joint Legislative Council.

Read first time and referred to committee on **Senate Organization**.

#### **Assembly Bill 709**

Relating to: requiring every applicant for a marriage license to present a certified copy of a birth certificate.

By Representatives Jeskewitz, Ballweg, Berceau, Bies, Gottlieb, Hahn, LeMahieu, Montgomery, Mursau, Musser, Nelson, Nerison, Newcomer, Nygren, A. Ott, Petrowski, Strachota, Suder, Vos, Van Roy and F. Lasee; cosponsored by Senators Plale, Breske, Cowles, Grothman, Kedzie, Lazich, Olsen, Roessler and Schultz.

Read first time and referred to committee on **Senate Organization**.

#### **Assembly Bill 735**

Relating to: petitions and management plans for the designation of managed forest land, transferrals of ownership of managed forest land, establishing stumpage values and estimating withdrawal taxes under the managed forest land program, signatures and authentication requirements for orders under the forest croplands program, granting rule-making authority, and making an appropriation.

By Representatives Friske, Mursau, Bies, Townsend and Musser; cosponsored by Senators Breske and Hansen.

Read first time and referred to committee on **Senate Organization**.

#### **Assembly Bill 765**

Relating to: certain review, reporting, and out-of-date requirements regarding the Public Service Commission (suggested as remedial legislation by the Public Service Commission).

By Law Revision Committee.

Read first time and referred to committee on **Senate Organization**.

#### **Assembly Bill 798**

Relating to: the sale of raffle tickets.

By Representatives Kerkman, Kreuser, Turner, Mursau, Nass, Molepske and Gunderson; cosponsored by Senators Wirch, Olsen and Grothman.

Read first time and referred to committee on **Senate Organization**.

#### **Assembly Bill 803**

Relating to: exempting nonprofit camps from certain town sanitary district or town assessments.

By Representatives Kerkman, Kreuser, Soletski, Townsend, Gunderson, Owens and Mursau.

Read first time and referred to committee on **Senate Organization**.

#### **Assembly Bill 807**

Relating to: the definition of a group health benefit plan and reports by the commissioner of insurance on the effect of changing the definition.

By Representatives F. Lasee, Davis, Gunderson, LeMahieu, Mursau, Nygren, Strachota and Vos; cosponsored by Senators Kanavas, Darling, Roessler and Schultz.

Read first time and referred to committee on **Senate Organization**.

#### **Assembly Bill 828**

Relating to: the definition of bicycle; lighting of bicycles, motor bicycles, and electric personal assistive mobility devices; and manual turn signals for bicyclists.

By Representatives Davis, Black, Ballweg, Bies, Montgomery, A. Ott, Townsend and Hahn; cosponsored by

Senators Risser, Cowles, Lassa, Lehman, Miller, Olsen and Schultz.

Read first time and referred to committee on **Senate Organization**.

#### **Assembly Bill 846**

Relating to: unlawful use of a global positioning device and providing a penalty.

By Representatives Kramer and Kessler.

Read first time and referred to committee on **Senate Organization**.

#### **Assembly Bill 854**

Relating to: providing financial aid at the University of Wisconsin–La Crosse.

By Representatives Shilling, Nass, Nerison, Hixson, Musser, Hintz and Jeskewitz; cosponsored by Senators Vinehout, Kapanke, Schultz and Taylor.

Read first time and referred to committee on **Senate Organization**.

#### **Assembly Bill 862**

Relating to: providing the public with information on state agency operations expenditures and state agency contracts and grants.

By Representatives Vos, Kramer, Zipperer, Albers, Gunderson, Kerkman, Lothian, Molepske, Montgomery, Moulton, Murtha, Musser, Nass, Nygren, Petersen, Pridemore, Vukmir and Cullen; cosponsored by Senators Wirch, Hansen, Darling, Lazich and Roessler.

Read first time and referred to committee on **Senate Organization**.

#### **Assembly Bill 863**

Relating to: confidentiality of health care services reviews; use as evidence of information regarding health care providers; homicide or injury by negligent handling of a dangerous weapon, explosives, or fire; criminal abuse of individuals at risk; and criminal abuse and neglect of patients and residents.

By Representatives Newcomer, Moulton, Vukmir, Soletski, Vruwink, Albers, Gunderson, Hahn, LeMahieu, M. Williams, Montgomery, Musser, Nygren, A. Ott, Strachota, Suder and Vos; cosponsored by Senators Cowles, Darling, Kanavas, Kapanke, Kedzie and Olsen.

Read first time and referred to committee on **Senate Organization**.

#### **Assembly Bill 893**

Relating to: distribution of moneys to Wisconsin Retirement System employers under [1999 Wisconsin Act 11](#); payment of interest by the Department of Employee Trust Funds on credited or refunded moneys; Wisconsin Retirement System beneficiary standard sequence; accelerated death benefit option continuation under the Wisconsin Retirement System; life insurance benefits administered by the Department of Employee Trust Funds; definition of the term Internal Revenue Code for purposes of benefit plans administered by the Department of Employee Trust Funds; interest rates charged on moneys owed the Department of Employee Trust Funds for benefit programs; payment of death benefits under the Wisconsin Retirement System; authority of the Group Insurance Board; eligibility requirements for duty disability benefit under the Wisconsin Retirement System; amortization period for unfunded prior service liability under the Wisconsin Retirement System; attachment of retirement benefits for delinquent state tax purposes; waiver of benefits under the

Wisconsin Retirement System; and granting rule-making authority.

By Representative Jeskewitz; cosponsored by Senator Wirch.

Read first time and referred to committee on **Senate Organization**.

#### **Assembly Bill 898**

Relating to: police escorts and vehicle rights-of-way related to escorted vehicles and providing a penalty.

By Representative Wieckert, by request of Outagamie County Sheriff's Department, Brown County Sheriff's Department and Badger State Sheriff's Association.

Read first time and referred to committee on **Senate Organization**.

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## **LEAVES OF ABSENCE**

Senator S. Fitzgerald, with unanimous consent, asked that Senator Darling be granted a leave of absence for part of today's session.

Senator S. Fitzgerald, with unanimous consent, asked that Senator Grothman be granted a leave of absence for part of today's session.

Senator S. Fitzgerald, with unanimous consent, asked that Senator Kedzie be granted a leave of absence for part of today's session.

Senator S. Fitzgerald, with unanimous consent, asked that Senator Schultz be granted a leave of absence for part of today's session.

Senator Decker, with unanimous consent, asked that Senator Hansen be granted a leave of absence for part of today's session.

Senator Decker, with unanimous consent, asked that Senator Sullivan be granted a leave of absence for part of today's session.

Senator Decker, with unanimous consent, asked that Senator Taylor be granted a leave of absence for part of today's session.

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## **SPECIAL ORDERS**

### **Special order of business at 11:01 A.M.**

CULVER, CURT S., of Nashotah, as a member of the Board of Trustees of the Medical College of Wisconsin, to serve for the term ending July 1, 2010.

Read.

The question was: Confirmation?

The ayes and noes were required and the vote was: ayes, 27; noes, 0; absent or not voting, 6; as follows:

Ayes – Senators Breske, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Harsdorf, Jauch, Kanavas, Kapanke, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Roessler, Vinehout and Wirch – 27.

Noes – None.

Absent or not voting – Senators Grothman, Hansen, Kedzie, Schultz, Sullivan and Taylor – 6.

Confirmed.

**Special order of business at 11:02 A.M.**

STARK, WILL, of De Pere, as a member of the Fox River Navigational System Authority, to serve for the term ending July 1, 2010.

Read.

The question was: Confirmation?

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes – Senators Breske, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Roessler, Schultz, Sullivan, Taylor, Vinehout and Wirch – 33.

Noes – None.

Absent or not voting – None.

Confirmed.

**Special order of business at 11:03 A.M.**

**Assembly Bill 297**

Relating to: the regulation of certain structures in navigable waters, granting rule-making authority, and making an appropriation.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Assembly Bill 297**?

Adopted.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the Senate recess.

1:13 P.M.

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**RECESS**

1:22 P.M.

The Senate reconvened.

President Risser in the chair.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

**Assembly Bill 297**

Read a third time.

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes – Senators Breske, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Roessler, Schultz, Sullivan, Taylor, Vinehout and Wirch – 33.

Noes – None.

Absent or not voting – None.

Concurred in.

**Special order of business at 11:04 A.M.**

**Senate Bill 69**

Relating to: information obtained by a tax preparer in the course of preparing a client's tax return.

The question was: Shall Assembly substitute amendment 3 to **Senate Bill 69** be concurred in?

Concurred in.

**Special order of business at 11:05 A.M.**

**Senate Bill 176**

Relating to: payment of a 1st class city police officer's salary after discharge and the adjournment of a trial or investigation relating to charges brought against such an officer.

The question was: Shall Assembly substitute amendment 2 to **Senate Bill 176** be concurred in?

Concurred in.

**Special order of business at 11:06 A.M.**

**Senate Joint Resolution 101**

Relating to: commending Chancellor John P. Keating on his commitment to excellence in higher education.

Senator Decker, with unanimous consent, asked that **Assembly Joint Resolution 115** be withdrawn and taken up at this time.

**Assembly Joint Resolution 115**

Relating to: commending Chancellor John P. Keating on his commitment to excellence in higher education.

The question was: Shall **Assembly Joint Resolution 115** be concurred in?

Concurred in.

Senator Decker, with unanimous consent, asked that **Senate Joint Resolution 101** be laid on the table.

**Special order of business at 11:07 A.M.**

**Senate Joint Resolution 102**

Relating to: the life and public service of Jerome F. Quinn.

Senator Decker, with unanimous consent, asked that **Assembly Joint Resolution 116** be withdrawn and taken up at this time.

**Assembly Joint Resolution 116**

Relating to: the life and public service of Jerome F. Quinn.

The question was: Shall **Assembly Joint Resolution 116** be concurred in?

Concurred in.

Senator Decker, with unanimous consent, asked that **Senate Joint Resolution 102** be laid on the table.

**Special order of business at 11:08 A.M.**

**Senate Joint Resolution 103**

Relating to: commending Chancellor John D. Wiley for his outstanding service to the state of Wisconsin.

Senator Decker, with unanimous consent, asked that **Assembly Joint Resolution 117** be withdrawn and taken up at this time.

**Assembly Joint Resolution 117**

Relating to: commending Chancellor John D. Wiley for his outstanding service to the state of Wisconsin.

The question was: Shall **Assembly Joint Resolution 117** be concurred in?

Concurred in.

Senator Decker, with unanimous consent, asked that **Senate Joint Resolution 103** be laid on the table.

Senator Decker, with unanimous consent, asked that **Assembly Joint Resolution 58** be withdrawn and taken up at this time.

#### **Assembly Joint Resolution 58**

Relating to: the life and military service of United States Army Sergeant First Class Jesse Bryon Albrecht.

Concurred in by unanimous rising vote.

Senator Decker, with unanimous consent, asked that **Assembly Joint Resolution 114** be withdrawn and taken up at this time.

#### **Assembly Joint Resolution 114**

Relating to: commending Jolene Anderson, senior guard on the University of Wisconsin–Madison Badger women’s basketball team, for her stellar athletic achievements over the last four years.

The question was: Shall **Assembly Joint Resolution 114** be concurred in?

Concurred in.

Senator Decker, with unanimous consent, asked that **Assembly Joint Resolution 119** be withdrawn and taken up at this time.

#### **Assembly Joint Resolution 119**

Relating to: recognizing May as Melanoma and Skin Cancer Detection and Prevention month.

The question was: Shall **Assembly Joint Resolution 119** be concurred in?

Concurred in.

Senator Decker, with unanimous consent, asked that all action be immediately messaged to the Assembly.

Messaged.

#### **Special order of business at 11:09 A.M.**

##### **Senate Bill 251**

Relating to: removal of a pupil from class, from any portion of school property, or from a school–sponsored activity.

Read a second time.

The question was: Adoption of Senate substitute amendment 1 to **Senate Bill 251**?

Adopted.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

##### **Senate Bill 251**

Read a third time and passed.

#### **Special order of business at 11:10 A.M.**

##### **Senate Bill 274**

Relating to: restrictions relating to soil testing and the installation, design, maintenance, repair, and sale of private sewage systems and providing a penalty.

Read a second time.

Senator Decker, with unanimous consent, asked that **Assembly Bill 532** be withdrawn from the committee on **Environment and Natural Resources** and taken up at this time.

##### **Assembly Bill 532**

Relating to: restrictions relating to soil testing and the installation, design, maintenance, repair, and sale of private sewage systems and providing a penalty.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

##### **Assembly Bill 532**

Read a third time and concurred in.

Senator Decker, with unanimous consent, asked that **Senate Bill 274** be laid on the table.

#### **Special order of business at 11:11 A.M.**

##### **Senate Bill 285**

Relating to: the regulation of certain telecommunications utilities and the public service commission’s jurisdiction over public utilities in general.

Read a second time.

The question was: Adoption of Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 285**?

Adopted.

The question was: Adoption of Senate substitute amendment 1 to **Senate Bill 285**?

Adopted.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

##### **Senate Bill 285**

Read a third time and passed.

#### **Special order of business at 11:12 A.M.**

##### **Senate Bill 349**

Relating to: records of pupils attending a private school participating in the Milwaukee Parental Choice Program.

Read a second time.

Senator Decker, with unanimous consent, asked that **Senate Bill 349** be placed after **Senate Bill 486** on the calendar of 3–12–2008.

#### **Special order of business at 11:13 A.M.**

##### **Senate Bill 379**

Relating to: fire safety performance standards for cigarettes, making an appropriation, and providing a penalty.

Read a second time.

Senator Decker, with unanimous consent, asked that **Assembly Bill 717** be withdrawn and taken up at this time.

### **Assembly Bill 717**

Relating to: fire safety performance standards for cigarettes, making an appropriation, and providing a penalty.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

### **Assembly Bill 717**

Read a third time.

The ayes and noes were required and the vote was: ayes, 30; noes, 3; absent or not voting, 0; as follows:

Ayes – Senators Breske, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, Lassa, Lehman, Miller, Olsen, Plale, Risser, Robson, Roessler, Schultz, Sullivan, Taylor, Vinehout and Wirsch – 30.

Noes – Senators A. Lasee, Lazich and Leibham – 3.

Absent or not voting – None.

Concurred in.

Senator Decker, with unanimous consent, asked that **Senate Bill 379** be laid on the table.

### **Special order of business at 11:14 A.M.**

#### **Senate Bill 397**

Relating to: the disposal, collection, and recycling of electronic devices, making an appropriation, and providing penalties.

Read a second time.

The question was: Adoption of Senate amendment 1 to Senate substitute amendment 1 to **Senate Bill 397**?

Adopted.

The question was: Adoption of Senate substitute amendment 1 to **Senate Bill 397**?

Adopted.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

#### **Senate Bill 397**

Read a third time.

The ayes and noes were required and the vote was: ayes, 30; noes, 3; absent or not voting, 0; as follows:

Ayes – Senators Breske, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lehman, Miller, Olsen, Plale, Risser, Robson, Roessler, Schultz, Sullivan, Taylor, Vinehout and Wirsch – 30.

Noes – Senators Grothman, Lazich and Leibham – 3.

Absent or not voting – None.

Passed.

Senator Decker, with unanimous consent, asked that all Senate action be immediately messaged to the Assembly.

Messaged.

### **Special order of business at 11:15 A.M.**

#### **Senate Bill 442**

Relating to: the use of cellular telephones and other devices while operating certain motor vehicles transporting children and providing a penalty.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 442**?

Adopted.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

#### **Senate Bill 442**

Read a third time and passed.

### **Special order of business at 11:16 A.M.**

#### **Senate Bill 453**

Relating to: the total amount of airport development zone and technology zone tax credits.

Read a second time.

Senator Kreitlow, with unanimous consent, asked that **Senate Bill 453** be placed after **Senate Bill 486** on the calendar of 3–12–2008.

### **Special order of business at 11:17 A.M.**

#### **Senate Bill 474**

Relating to: licenses and limited X-ray machine operator permits to engage in the practice of radiography, creating a radiography examining board, granting rule-making authority, requiring the exercise of rule-making authority, and providing a penalty.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

#### **Senate Bill 474**

Read a third time.

The ayes and noes were required and the vote was: ayes, 32; noes, 1; absent or not voting, 0; as follows:

Ayes – Senators Breske, Carpenter, Coggs, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Roessler, Schultz, Sullivan, Taylor, Vinehout and Wirsch – 32.

Noes – Senator Grothman – 1.

Absent or not voting – None.

Passed.

### **Special order of business at 11:18 A.M.**

#### **Senate Bill 486**

Relating to: requiring the licensure of instructional staff in schools participating in the Milwaukee Parental Choice Program.

Read a second time.

Ordered to a third reading.

Senator Hansen, with unanimous consent, asked that the bill be considered for final action at this time.

**Senate Bill 486**

Read a third time.

The ayes and noes were required and the vote was: ayes, 18; noes, 15; absent or not voting, 0; as follows:

Ayes – Senators Breske, Carpenter, Coggs, Decker, Erpenbach, Hansen, Jauch, Kreitlow, Lassa, Lehman, Miller, Risser, Robson, Schultz, Sullivan, Taylor, Vinehout and Wirsch – 18.

Noes – Senators Cowles, Darling, Ellis, S. Fitzgerald, Grothman, Harsdorf, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham, Olsen, Plale and Roessler – 15.

Absent or not voting – None.

Passed.

**Senate Bill 453**

Relating to: the total amount of airport development zone and technology zone tax credits.

Senate amendment 1 to **Senate Bill 453** offered by Senator Lassa.

Senate amendment 1 to Senate amendment 1 to **Senate Bill 453** offered by Senator Roessler.

Senator Roessler, with unanimous consent, asked that Senate amendment 1 to Senate amendment 1 to **Senate Bill 453** be withdrawn and returned to author.

Senator Lassa, with unanimous consent, asked that Senate amendment 1 to **Senate Bill 453** be withdrawn and returned to author.

Senate amendment 2 to **Senate Bill 453** offered by Senator Kreitlow.

The question was: Adoption of Senate amendment 2 to **Senate Bill 453**?

Adopted.

Senate amendment 3 to **Senate Bill 453** offered by Senator Kreitlow.

The question was: Adoption of Senate amendment 3 to **Senate Bill 453**?

Adopted.

Senate amendment 4 to **Senate Bill 453** offered by Senator Lassa.

The question was: Adoption of Senate amendment 4 to **Senate Bill 453**?

Adopted.

Senate amendment 5 to **Senate Bill 453** offered by Senator Roessler.

Senator Roessler, with unanimous consent, asked that Senate amendment 5 to **Senate Bill 453** be withdrawn and returned to author.

Senate amendment 6 to **Senate Bill 453** offered by Senator Roessler.

The question was: Adoption of Senate amendment 6 to **Senate Bill 453**?

Adopted.

Senator Decker, with unanimous consent, asked that the Senate stand informal.

The Senate stood informal.

Senator Decker, with unanimous consent, asked that **Senate Bill 453** be placed at the foot of the calendar of 3–18–2008.

**Senate Bill 349**

Relating to: records of pupils attending a private school participating in the Milwaukee Parental Choice Program.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

**Senate Bill 349**

Read a third time.

The ayes and noes were required and the vote was: ayes, 18; noes, 15; absent or not voting, 0; as follows:

Ayes – Senators Breske, Carpenter, Coggs, Cowles, Decker, Erpenbach, Hansen, Jauch, Kreitlow, Lassa, Lehman, Miller, Risser, Robson, Sullivan, Taylor, Vinehout and Wirsch – 18.

Noes – Senators Darling, Ellis, S. Fitzgerald, Grothman, Harsdorf, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham, Olsen, Plale, Roessler and Schultz – 15.

Absent or not voting – None.

Passed.

**Special order of business at 11:19 A.M.**

**Senate Bill 493**

Relating to: providing information about suicide prevention to public and private school professional staff.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

**Senate Bill 493**

Read a third time and passed.

**Special order of business at 11:20 A.M.**

**Senate Bill 494**

Relating to: changing the procedures for filling vacant civil service positions in the city of Milwaukee.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

**Senate Bill 494**

Read a third time and passed.

**Special order of business at 11:21 A.M.**

**Senate Bill 504**

Relating to: supervision of barber or cosmetologist apprentices.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

**Senate Bill 504**

Read a third time and passed.

**Special order of business at 11:22 A.M.**

**Senate Bill 510**

Relating to: requiring the combined reporting of corporate income and franchise taxes; supplemental funding for the renewable energy grant and loan program; Wisconsin higher education grants for technical college students; income eligibility for child care subsidies; incentive grants to technical college district boards for training in advanced manufacturing skills; airport development zone and technology zone tax credits; funding for the Department of Transportation; the Regional Transit Authority and commuter rail transit systems; authorizing the Wisconsin Health and Educational Facilities Authority to issue bonds to finance projects related to research facilities; and making an appropriation.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 510**?

Adopted.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

**Senate Bill 510**

Read a third time.

The ayes and noes were required and the vote was: ayes, 18; noes, 15; absent or not voting, 0; as follows:

Ayes – Senators Breske, Carpenter, Coggs, Decker, Erpenbach, Hansen, Jauch, Kreitlow, Lassa, Lehman, Miller, Plale, Risser, Robson, Sullivan, Taylor, Vinehout and Wirsch – 18.

Noes – Senators Cowles, Darling, Ellis, S. Fitzgerald, Grothman, Harsdorf, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham, Olsen, Roessler and Schultz – 15.

Absent or not voting – None.

Passed.

**Special order of business at 11:23 A.M.**

**Senate Bill 536**

Relating to: adding a member to the Council on Veterans Programs.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

**Senate Bill 536**

Read a third time and passed.

**Special order of business at 11:24 A.M.**

**Senate Bill 544**

Relating to: requiring that local regulation of a wind energy system be consistent with Public Service Commission rules and granting rule-making authority.

Read a second time.

Senate substitute amendment 3 to **Senate Bill 544** offered by Senators Vinehout and Cowles.

Senator Plale moved rejection of Senate substitute amendment 3 to **Senate Bill 544**.

The question was: Rejection of Senate substitute amendment 3 to **Senate Bill 544**?

The ayes and noes were required and the vote was: ayes, 11; noes, 22; absent or not voting, 0; as follows:

Ayes – Senators Breske, Coggs, Decker, Erpenbach, Hansen, Kreitlow, Lassa, Plale, Sullivan, Taylor and Wirsch – 11.

Noes – Senators Carpenter, Cowles, Darling, Ellis, S. Fitzgerald, Grothman, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Lehman, Leibham, Miller, Olsen, Risser, Robson, Roessler, Schultz and Vinehout – 22.

Absent or not voting – None.

Rejection refused.

Senator Decker, with unanimous consent, asked that **Senate Bill 544** be referred to committee on **Senate Organization**.

Referred.

**Special order of business at 11:25 A.M.**

**Senate Bill 549**

Relating to: the confidentiality and electronic filing of real estate transfer returns.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

**Senate Bill 549**

Read a third time and passed.

**Special order of business at 11:26 A.M.**

**Senate Bill 551**

Relating to: reporting requirements for certain charitable organizations.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

**Senate Bill 551**

Read a third time and passed.

**Special order of business at 11:27 A.M.**

**Assembly Bill 169**

Relating to: obtaining a special registration plate for disabled persons.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

**Assembly Bill 169**

Read a third time and concurred in.

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**LEAVES OF ABSENCE**

Senator S. Fitzgerald, with unanimous consent, asked that Senator Ellis be granted a leave of absence for the remainder of today's session.

**Special order of business at 11:28 A.M.**

**Assembly Bill 216**

Relating to: community service work option for certain defendants.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

**Assembly Bill 216**

Read a third time and concurred in.

**Special order of business at 11:29 A.M.**

**Assembly Bill 334**

Relating to: designating feral pigs as harmful wild animals.

Read a second time.

Ordered to a third reading.

Senator Hansen, with unanimous consent, asked that the bill be considered for final action at this time.

**Assembly Bill 334**

Read a third time and concurred in.

**Special order of business at 11:30 A.M.**

**Assembly Bill 468**

Relating to: notaries public who are not attorneys and providing penalties.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

**Assembly Bill 468**

Read a third time and concurred in.

**Special order of business at 11:31 A.M.**

**Assembly Bill 613**

Relating to: salaries of deputy district attorneys.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

**Assembly Bill 613**

Read a third time and concurred in.

**Special order of business at 11:32 A.M.**

**Assembly Bill 623**

Relating to: investments and operations of the State of Wisconsin Investment Board.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

**Assembly Bill 623**

Read a third time and concurred in.

**Special order of business at 11:33 A.M.**

**Assembly Bill 654**

Relating to: eliminating the study related to imposing local general property taxes on public utility property.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

**Assembly Bill 654**

Read a third time and concurred in.

**Special order of business at 11:34 A.M.**

**Assembly Bill 764**

Relating to: coverage of long-term care districts under the Wisconsin Retirement System.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

**Assembly Bill 764**

Read a third time and concurred in.

Senator Decker, with unanimous consent, asked that all action be immediately messaged to the Assembly.

Messaged.

**Special order of business at 11:35 A.M.**

**Senate Bill 257**

Relating to: invasion of privacy.

Read a second time.

Senator Decker, with unanimous consent, asked that **Assembly Bill 677** be withdrawn from the committee on **Judiciary, Corrections, and Housing** and taken up.

**Assembly Bill 677**

Relating to: invasion of privacy.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

**Assembly Bill 677**

Read a third time and concurred in.

Senator Decker, with unanimous consent, asked that **Senate Bill 257** be laid on the table.

**Special order of business at 11:36 A.M.**

**Senate Bill 355**

Relating to: restrictions on the operation of motor vehicles by persons using electronic text messaging devices and providing a penalty.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

**Senate Bill 355**

Read a third time.

The ayes and noes were required and the vote was: ayes, 26; noes, 6; absent or not voting, 1; as follows:

Ayes – Senators Breske, Carpenter, Coggs, Cowles, Darling, Decker, Erpenbach, S. Fitzgerald, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kreitlow, A. Lasee, Lassa, Lehman, Miller, Olsen, Risser, Robson, Schultz, Sullivan, Taylor, Vinehout and Wirch – 26.

Noes – Senators Grothman, Kedzie, Lazich, Leibham, Plale and Roessler – 6.

Absent or not voting – Senator Ellis – 1.

Concurred in.

**Special order of business at 11:37 A.M.**

**Senate Bill 476**

Relating to: the effect of an order denying, limiting, discontinuing, or prohibiting parental visitation with a child who is adjudged to be in need of protection or services, who is the subject of a termination of parental rights petition, or who is in sustaining care following a termination of parental rights on visitation between the child and a sibling and requiring a child's permanency plan to include a statement as to whether visitation between the child and a sibling is in the best interests of the child and sibling when parental visitation is denied, limited, discontinued, or prohibited.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

**Senate Bill 476**

Read a third time and passed.

**Special order of business at 11:38 A.M.**

**Senate Bill 545**

Relating to: creating an alcohol beverages licensing exception for certain auction sales of wine.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 545**?

Adopted.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

**Senate Bill 545**

Read a third time and passed.

**Senate Bill 453**

Relating to: the total amount of airport development zone and technology zone tax credits.

Senate amendment 7 to **Senate Bill 453** offered by Senator Roessler.

The question was: Adoption of Senate amendment 7 to **Senate Bill 453**?

Adopted.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

**Senate Bill 453**

Read a third time and passed.

Senator Decker, with unanimous consent, asked that **Assembly Bill 798** be withdrawn from the committee on **Senate Organization** and taken up.

**Assembly Bill 798**

Relating to: the sale of raffle tickets.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

**Assembly Bill 798**

Read a third time and concurred in.

Senator Decker, with unanimous consent, asked that **Assembly Bill 450** be withdrawn from the committee on **Senate Organization** and taken up.

**Assembly Bill 450**

Relating to: flying of the United States flag at public buildings, structures, and facilities.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

**Assembly Bill 450**

Read a third time and concurred in.

Senator Decker, with unanimous consent, asked that **Assembly Bill 470** be withdrawn from the committee on **Senate Organization** and taken up.

**Assembly Bill 470**

Relating to: the penalty for converting agricultural land.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

**Assembly Bill 470**

Read a third time and concurred in.

Senator Decker, with unanimous consent, asked that **Assembly Bill 597** be withdrawn from the committee on **Senate Organization** and taken up.

**Assembly Bill 597**

Relating to: interfering with a signal transmitted by a global positioning system and providing a penalty.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

**Assembly Bill 597**

Read a third time and concurred in.

Senator Decker, with unanimous consent, asked that **Senate Bill 396** be withdrawn and taken up at this time.

**Senate Bill 396**

Relating to: online courses for elementary and secondary school pupils and granting rule-making authority.

The question was: Shall Assembly substitute amendment 1 to **Senate Bill 396** be concurred in?

Concurred in.

Senator Decker, with unanimous consent, asked that **Assembly Bill 159** be withdrawn from the committee on **Transportation, Tourism and Insurance** and taken up at this time.

**Assembly Bill 159**

Relating to: vehicles operated in a funeral procession.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

**Assembly Bill 159**

Read a third time and concurred in.

Senator Decker, with unanimous consent, asked that **Assembly Bill 212** be withdrawn from the committee on **Senate Organization** and taken up.

**Assembly Bill 212**

Relating to: designating a state tartan.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

**Assembly Bill 212**

Read a third time and concurred in.

Senator Decker, with unanimous consent, asked that **Assembly Bill 118** be withdrawn from the committee on **Senate Organization** and taken up.

**Assembly Bill 118**

Relating to: requiring local governmental units to consider relationships with drainage districts in the preparation of comprehensive plans, requiring local governments to provide notice to drainage districts regarding proposals that affect drainage districts, and requiring sellers of real property to disclose the location of property within drainage districts.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

**Assembly Bill 118**

Read a third time and concurred in.

Senator Decker, with unanimous consent, asked that **Assembly Bill 525** be withdrawn from the committee on **Judiciary, Corrections, and Housing** and taken up.

**Assembly Bill 525**

Relating to: threatening or committing battery against certain employees of first class cities and providing a penalty.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

**Assembly Bill 525**

Read a third time and concurred in.

Senator Decker, with unanimous consent, asked that **Assembly Bill 248** be withdrawn from the committee on **Judiciary, Corrections, and Housing** and taken up.

**Assembly Bill 248**

Relating to: powers and duties of part-time court commissioners.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

**Assembly Bill 248**

Read a third time.

The ayes and noes were required and the vote was: ayes, 32; noes, 0; absent or not voting, 1; as follows:

Ayes – Senators Breske, Carpenter, Coggs, Cowles, Darling, Decker, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale,

Risser, Robson, Roessler, Schultz, Sullivan, Taylor, Vinehout and Wirsch – 32.

Noes – None.

Absent or not voting – Senator Ellis – 1.

Concurred in.

Senator Decker, with unanimous consent, asked that **Assembly Bill 893** be withdrawn from the committee on **Senate Organization** and taken up.

### **Assembly Bill 893**

Relating to: distribution of moneys to Wisconsin Retirement System employers under [1999 Wisconsin Act 11](#); payment of interest by the Department of Employee Trust Funds on credited or refunded moneys; Wisconsin Retirement System beneficiary standard sequence; accelerated death benefit option continuation under the Wisconsin Retirement System; life insurance benefits administered by the Department of Employee Trust Funds; definition of the term Internal Revenue Code for purposes of benefit plans administered by the Department of Employee Trust Funds; interest rates charged on moneys owed the Department of Employee Trust Funds for benefit programs; payment of death benefits under the Wisconsin Retirement System; authority of the Group Insurance Board; eligibility requirements for duty disability benefit under the Wisconsin Retirement System; amortization period for unfunded prior service liability under the Wisconsin Retirement System; attachment of retirement benefits for delinquent state tax purposes; waiver of benefits under the Wisconsin Retirement System; and granting rule-making authority.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

### **Assembly Bill 893**

Read a third time.

The ayes and noes were required and the vote was: ayes, 31; noes, 1; absent or not voting, 1; as follows:

Ayes – Senators Breske, Carpenter, Coggs, Cowles, Darling, Decker, Erpenbach, S. Fitzgerald, Hansen, Harsdorf, Jauch, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Miller, Olsen, Plale, Risser, Robson, Roessler, Schultz, Sullivan, Taylor, Vinehout and Wirsch – 31.

Noes – Senator Grothman – 1.

Absent or not voting – Senator Ellis – 1.

Concurred in.

Senator Decker, with unanimous consent, asked that **Assembly Bill 709** be withdrawn from the committee on **Senate Organization** and taken up.

### **Assembly Bill 709**

Relating to: requiring every applicant for a marriage license to present a certified copy of a birth certificate.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

### **Assembly Bill 709**

Read a third time and concurred in.

Senator Decker, with unanimous consent, asked that **Senate Joint Resolution 104** be withdrawn from the committee on **Senate Organization** and taken up.

### **Senate Joint Resolution 104**

Relating to: recognizing May 12, 2008, as Fibromyalgia Awareness Day.

The question was: Shall **Senate Joint Resolution 104** be adopted?

Adopted.

Senator Decker, with unanimous consent, asked that **Assembly Bill 410** be withdrawn from the committee on **Senate Organization** and taken up.

### **Assembly Bill 410**

Relating to: legislative committee review period of administrative rules and revisor consent regarding technical standards in rules.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

### **Assembly Bill 410**

Read a third time and concurred in.

Senator Decker, with unanimous consent, asked that **Assembly Bill 875** be withdrawn from the committee on **Senate Organization** and taken up.

### **Assembly Bill 875**

Relating to: certification of major party nominees for the offices of president and vice president in 2008.

Read a second time.

Ordered to a third reading.

Senator Decker, with unanimous consent, asked that the bill be considered for final action at this time.

### **Assembly Bill 875**

Read a third time and concurred in.

Senator Breske, with unanimous consent, asked that the Senate recess.

5:48 P.M.

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## **RECESS**

6:45 P.M.

The Senate reconvened.

President Risser in the chair.

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## **MOTIONS MAY BE OFFERED**

Senator Hansen moved that the rules be suspended and that **Senate Bill 5** be withdrawn from the committee on **Ethics Reform and Government Operations** and taken up.

The question was: Shall the rules be suspended and **Senate Bill 5** be withdrawn from the committee on **Ethics Reform and Government Operations** and taken up?

The ayes and noes were required and the vote was: ayes, 28; noes, 4; absent or not voting, 1; as follows:

Ayes – Senators Breske, Carpenter, Coggs, Cowles, Darling, Decker, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Olsen, Plale, Roessler, Schultz, Sullivan, Taylor, Vinehout and Wirch – 28.

Noes – Senators Jauch, Miller, Risser and Robson – 4.

Absent or not voting – Senator Ellis – 1.

Rules suspended and taken up.

### Senate Bill 5

Relating to: elimination of accumulated sick leave credit program for legislators, justices and judges, all other state elected officials, and certain appointed executive branch officials.

Read a second time.

Senate amendment 1 to **Senate Bill 5** offered by Senator Erpenbach.

Senator Erpenbach, with unanimous consent, asked that Senate amendment 1 to **Senate Bill 5** be withdrawn and returned to author.

The question was: Shall **Senate Bill 5** be ordered engrossed and read a third time?

The ayes and noes were required and the vote was: ayes, 29; noes, 3; absent or not voting, 1; as follows:

Ayes – Senators Breske, Carpenter, Coggs, Cowles, Darling, Decker, Erpenbach, S. Fitzgerald, Grothman, Hansen, Harsdorf, Kanavas, Kapanke, Kedzie, Kreitlow, A. Lasee, Lassa, Lazich, Lehman, Leibham, Olsen, Plale, Robson, Roessler, Schultz, Sullivan, Taylor, Vinehout and Wirch – 29.

Noes – Senators Jauch, Miller and Risser – 3.

Absent or not voting – Senator Ellis – 1.

Ordered to a third reading.

### POINT OF ORDER

Senator Miller raised the point of order that **Senate Bill 5** was not properly before the Senate because it is required to be referred to the joint committee on **Finance**.

The Chair took the point of order under advisement.

Senator Kapanke asked unanimous consent that the rules be suspended and that **Assembly Bill 854** be withdrawn from the committee on **Senate Organization** and taken up.

Senator Miller objected.

Senator Kapanke moved that the rules be suspended and that **Assembly Bill 854** be withdrawn from the committee on **Senate Organization** and taken up at this time.

The question was: Shall the rules be suspended and **Assembly Bill 854** be withdrawn from the committee on **Senate Organization** and taken up at this time?

The ayes and noes were required and the vote was: ayes, 14; noes, 18; absent or not voting, 1; as follows:

Ayes – Senators Cowles, Darling, S. Fitzgerald, Grothman, Harsdorf, Kanavas, Kapanke, Kedzie, A. Lasee, Lazich, Leibham, Olsen, Roessler and Schultz – 14.

Noes – Senators Breske, Carpenter, Coggs, Decker, Erpenbach, Hansen, Jauch, Kreitlow, Lassa, Lehman, Miller, Plale, Risser, Robson, Sullivan, Taylor, Vinehout and Wirch – 18.

Absent or not voting – Senator Ellis – 1.

Refused to suspend rules and take up.

Senator Decker, with unanimous consent, asked that all action be immediately messaged to the Assembly.

Messaged.

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### ADJOURNMENT

Senator Decker, with unanimous consent, asked that the Senate adjourn until Thursday, March 13, 2008.

Senator Fitzgerald objected.

Senator Decker moved that the Senate adjourn until Thursday, March 13, 2008.

The ayes and noes were demanded and the vote was: ayes, 19; noes, 13; absent or not voting, 1; as follows:

Ayes – Senators Breske, Carpenter, Coggs, Decker, Erpenbach, Hansen, Jauch, Kreitlow, A. Lasee, Lassa, Lehman, Miller, Plale, Risser, Robson, Sullivan, Taylor, Vinehout and Wirch – 19.

Noes – Senators Cowles, Darling, S. Fitzgerald, Grothman, Harsdorf, Kanavas, Kapanke, Kedzie, Lazich, Leibham, Olsen, Roessler and Schultz – 13.

Absent or not voting – Senator Ellis – 1.

Adjourned.

7:16 P.M.